

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Kyle B. Richards,

Plaintiff,

v.

Case No. 12-14148

Ken McKee, et. al.,

Honorable Sean F. Cox  
Magistrate Judge Mona K. Majzoub

Defendants.

---

**ORDER**  
**ACCEPTING AND ADOPTING REPORT & RECOMMENDATION**

On September 19, 2012, Plaintiff brought this action against nearly fifty defendants, including Macomb County Jail officials and personnel, alleging violations of 42 U.S.C. section 1983 and state law. (Doc. #1). All pretrial matters have been referred to Magistrate Judge Mona K. Majzoub pursuant to 28 U.S.C. § 636(b)(1)(A) & (B). (Doc. #78).

On June 30, 2014, after the close of discovery, Plaintiff filed his second Motion for Summary Judgment. (Doc. #80). In a Report and Recommendation (“R&R”) issued on January 15, 2015, Magistrate Judge Majzoub recommended that this Court deny Plaintiff’s second Motion for Summary Judgment because there are genuine issues of material fact for trial. (Doc. #86 at 1-3).

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a matter by a Magistrate Judge must file objections to the R&R within fourteen (14) days after being served with a copy of the R&R. “The district judge to whom the case is assigned shall make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge’s disposition to which specific written objection has been made.” *Id.*

The time for filing objections to the R&R has expired and the docket reflects that neither party has filed objections to the R&R. Furthermore, the Court agrees with the Magistrate Judge's analysis of the issues presented. Therefore, the Court hereby ADOPTS the January 15, 2015 R&R. IT IS ORDERED that Plaintiff's second Motion for Summary Judgment is DENIED.

**CONCLUSION & ORDER**

For the reasons set forth above, the Court hereby ACCEPTS AND ADOPTS Magistrate Judge Majzoub's January 15, 2015 Report and Recommendation (Doc. #86). The Court hereby ORDERS that Plaintiff's second Motion for Summary Judgment (Doc. #80) is DENIED.

**IT IS SO ORDERED.**

Dated: February 18, 2015

S/ Sean F. Cox

Sean F. Cox

U. S. District Judge

I hereby certify that on February 18, 2015, the foregoing document was served on counsel of record via electronic means and upon Kyle B. Richards via First Class mail at the address below:

Kyle Richards

641715

Bellamy Creek Correctional Facility

1727 West Bluewater Highway

Ionia, Mi 48846

S/ J. McCoy

Case Manager